

Attorney File: 3152A-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mark Stutler

Serial No. 10/081,156

Filed: February 25, 2002

For: FRESH MASONRY WALL PROTECTION
DEVICE AND METHOD FOR RAPIDLY PROTECTING
A NEWLY LAID MASONRY WALL

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OCT 21 2004

RESPONSE

ATTN: ROBERT J. CANFIELD

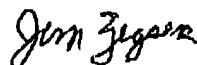
FAX: (703) 872-9306 (TOTAL: 14 PAGES)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 20, 2004, enclosed is a copy of the Notice of Appeal and Amendment After Final filed February 20, 2004. Also enclosed is a copy of the Patent and Trademark Office date-stamped receipt card.

Respectfully submitted,



Jim Zegcer, Reg. No. 18,957
Attorney for Applicant

Suite 108
801 North Pitt Street
Alexandria, VA 22314
Telephone: 703-684-8333

Date: October 21, 2004

The Patent and Trademark Office acknowledges, and has stamped hereon, the date of receipt of the following document(s) filed:

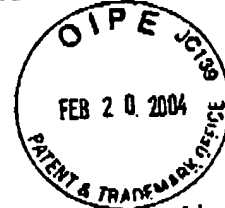
AMENDMENT AFTER FINAL
NOTICE OF APPEAL

CHECK No. 15354 - \$220.00

In re application of
Mark Stutler
Serial No. 10/081,156
Filed: February 25, 2002

For: FRESH MASONRY WALL PROTECTION DEVICE AND METHOD
FOR RAPIDLY PROTECTING A NEWLY LAID MASONRY WALL

Atty. Docket No.: 3152A-2



ph Examiner Robert Canfield
Group Art Unit 1775

Atty. Docket No.: 3152A-Z

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Mark Stutler

Serial No. 10/081,156

Filed: February 25, 2002

For: FRESH MASONRY WALL PROTECTION DEVICE AND METHOD
FOR RAPIDLY PROTECTING A NEWLY LAID MASONRY WALLExaminer Robert Canfield
Group Art Unit 1775NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESMail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated October 20, 2003 of the Primary Examiner finally rejecting Claims 1, 6, 13 and 15. The remaining claims have been indicated as allowable or containing allowable subject matter.

The Appeal fee (\$165.00) is:

- XX Enclosed: Check - \$220.00
(\$165.00-appeal notice/\$55.00 extension of time).
- Not required (fee paid in prior appeal in this application with no Board decision on the merits.)
- XX Petition is hereby made to the Commissioner of Patents and Trademarks to extend the period for filing this Notice of Appeal for one month, so as to expire February 20, 2004. The fee for this extension is included in the attached check.

The Commissioner is hereby authorized to charge any additional fees which may be required (or credit any overpayment) to Deposit Account No. 26-0090.

Respectfully submitted,

Jim Zegeer, Reg. No. 18,957
Attorney for ApplicantsSuite 108
801 North Pitt Street
Alexandria, VA 22314
Telephone: 703-684-8333Date: February 20, 2004

In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.